

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA	)	
	)	
v.	)	Criminal Number 1:04cr421
	)	
NARAN S. IVANCHUKOV,	)	
	)	
Defendant	)	

STATEMENT OF FACTS

The United States and the defendant agree that had this matter proceeded to trial, the United States would have proven the facts outlined below beyond a reasonable doubt.

*Introduction*

1. Defendant NARAN S. IVANCHUKOV was the owner and president of Global Recruitment and Immigration Services, Inc. (Global). Global was located at 6521 Arlington Boulevard, Suite 400, Falls Church, Virginia, in the Eastern District of Virginia. A substantial part of Global's business involved assisting aliens who were seeking permanent residence in the United States to obtain "green cards" through an employment-based visa program. During the course of the crimes alleged below, Global had revenue of approximately \$3.2 million.

*Facts Supporting Count 1 of the Superseding Indictment*

2. An alien seeking to immigrate to the United States may obtain an immigrant visa in order to perform skilled or unskilled labor in the United States. If approved, this employment-based visa allows the alien to come to the United States and to apply for lawful permanent residence. In order to apply for such a visa, however, an alien must first obtain a formal certification from the Secretary of Labor that (a) there are insufficient U.S. workers qualified to

do the work contemplated and (b) the employment of the alien would not adversely affect the wages and working conditions of U.S. workers similarly employed.

3. The Department of Labor does not permit an alien to apply for a labor certification on his or her own. Rather, the Department requires the alien's prospective employer to file an Application for Alien Employment Certification, officially known as a Department of Labor form ETA 750, on behalf of the alien. This application has to be completed and signed under penalty of perjury by both the prospective employer and the alien. In part A of the application, the employer represents that the employer has a specific job to fill; describes the nature, location, terms, and requirements of the job; and lists the name, address, and immigration status of the alien seeking the job. In part B of the application, the alien lists his name, address, biographic information, and immigration status; describes his experience and qualifications for the job the employer was offering; and represents that he is willing and qualified to accept the job.

4. At least from in or about April 2000 through in or about August 2004, in the Eastern District of Virginia and elsewhere, the defendant knowingly and unlawfully conspired with others from Global and elsewhere to commit immigration fraud and to make false statements. The defendant and his fellow conspirators knowingly and unlawfully agreed to subscribe as true, under penalty of perjury, false statements in immigration-related documents and to present such documents to the U.S. Department of Labor, the Immigration and Naturalization Service and its successor, the Department of Homeland Security, and the Department of State.

5. As part of the conspiracy, the defendant and his co-conspirators prepared, submitted, and pursued fraudulent ETA 750 applications, I-140 petitions, and related documents

on behalf of their alien clients. In general, these applications were fraudulent because they contained material false statements or misrepresentations, including one or more of the following: (1) forged signatures of the employer or alien beneficiary, (2) misrepresentations concerning the nature and genuine availability of the job opportunity, (3) false claims concerning the recruitment of U.S. workers, and (4) misrepresentations concerning the employer and the employer's representatives.

6. The defendant and his co-conspirators prepared and submitted to the Department of Labor, through the Virginia Employment Commission, numerous fraudulent ETA 750 applications naming East Coast Fabricators (ECF) as the employer and numerous aliens as the beneficiaries. These applications contained material false statements and misrepresentations, including one or more of the following:

- a) that the alien and employer had signed the document under penalty of perjury, when in fact the signatures were forged;
- b) that ECF was engaged in the residential construction business;
- c) that ECF intended to hire the alien beneficiaries for bona fide job opportunities in various residential construction trades;
- d) that the same job opportunities had been clearly open to any qualified U.S. worker;
- e) that ECF had legitimately tried and failed to recruit U.S. workers to fill the jobs described in the applications; and
- f) that the defendant's nephew, Bemba Balsirov, was the construction manager of ECF.

7. The defendant and his co-conspirators prepared and submitted to the Department of Labor, through the Maryland Department of Labor Licensing and Regulation, numerous fraudulent ETA 750 applications naming D.R. Horton as the employer and numerous aliens as the beneficiaries. The applications were filed on behalf of many of the same aliens who were named in the ECF applications described above. These D.R. Horton applications contained material false statements and misrepresentations, including one or more of the following:

- a) that the alien and employer had signed the document under penalty of perjury, when in fact the signatures were forged;
- b) that D.R. Horton intended to hire the alien beneficiaries for bona fide job opportunities in various residential construction trades; and
- c) that D.R. Horton had legitimately tried and failed to recruit U.S. workers to fill the jobs described in the applications.

8. For the purposes of this statement of facts, the defendant acknowledges (a) that he and his co-conspirators prepared and filed more than 100 fraudulent ETA 750 applications; (b) that these same applications contained false statements that were material to their adjudication; (c) that an ETA 750 application is an application required by the immigration laws and the regulations prescribed thereunder; and (d) that the Department of Labor is a department within the executive branch of the United States.

*Facts Supporting Count 69 of the Superseding Indictment*

9. At least from in or about April 2000 through in or about August 2004, in the Eastern District of Virginia, the defendant knowingly and unlawfully conspired with others at Global to defraud the United States for the purpose of impeding, impairing, obstructing, and

defeating the lawful government functions of the Internal Revenue Service of the Treasury Department in the ascertainment, computation, assessment, and collection of the revenue, that is, income taxes.

10. As part of the conspiracy, the defendant caused Global to conduct much of its business in cash and to regularly keep cash for the payment of the defendant's personal and business expenses in a safe at Global, rather than depositing the cash in Global's bank accounts.

11. The defendant caused Global to structure the cash deposits that it did make in such a way as to attempt to avoid triggering a currency transaction report, or CTR, by the bank.

12. The defendant caused Global to fail to file a federal income tax return and to fail to report any income it earned during the course of the conspiracy.

13. The defendant also failed to file a federal income tax return and failed to report any income he earned during the course of the conspiracy.

#### *Conclusion*

14. This statement of facts includes those facts necessary to support the plea agreement between the defendant and the United States. It does not include each and every fact known to the defendant or the United States, and it is not intended to be a full enumeration of all of the facts surrounding the defendant's case.

15. The actions of the defendant as recounted above were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

PAUL J. McNULTY  
UNITED STATES ATTORNEY

By: \_\_\_\_\_  
James P. Gillis  
Assistant United States Attorney

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proven the same beyond a reasonable doubt.

\_\_\_\_\_  
Naran S. Ivanchukov  
Defendant

I am the defendant's attorney. I have carefully reviewed the above Statement of Facts with the defendant. To my knowledge, the defendant's decision to stipulate to these facts is an informed and voluntary one.

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Joseph J. Aronica  
Counsel to the Defendant